

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Vimla Band
Serial No. : Not yet assigned
Filed : Herewith
Title : NES-1 POLYPEPTIDES, DNA, AND RELATED MOLECULES AND METHODS

Art Unit : Unknown
Examiner : Unknown

Commissioner for Patents
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Prior to examination, please amend the application as follows.

In the specification:

Please insert the following paragraph at page 1, line 3 (between the title of the application and the “Background of the Invention”).

-- This application is a divisional application of U.S.S.N., 09/605,176, which is a continuation of U.S.S.N. 09/201,038, filed November 30, 1998, which is a continuation application of U.S.S.N. 08/628,198, filed April 5, 1996 (now U.S. Patent No. 5,843,694), which is a divisional application of U.S.S.N. 08/467,155, filed June 6, 1995 (now U.S. Patent No. 5,736,377).--

In the claims:

Cancel claims 1-68, and add new claims 69-81.

-- 69. A method of determining whether a mammal has a carcinoma or an increased likelihood of developing a carcinoma, the method comprising examining the expression of, or the sequence of, a NES1 gene in a biological sample obtained from the mammal, a decrease in

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the expression of the NES1 gene or a mutation in the sequence of the NES1 gene indicating that the mammal has a carcinoma or an increased likelihood of developing a carcinoma.

70. The method of claim 69, wherein the biological sample comprises an epithelial cell.

71. The method of claim 69, wherein the biological sample comprises a breast tissue cell.

72. The method of claim 69, wherein the biological sample comprises a cervical tissue cell.

73. The method of claim 69, wherein the biological sample comprises a prostate tissue cell.

74. The method of claim 69, wherein the expression of the NES1 gene is determined by assaying NES1 mRNA expression.

75. The method of claim 69, wherein the expression of the NES1 gene is determined by assaying NES1 protein expression or activity.

76. The method of claim 69, wherein the mammal is a human.

77. A kit for diagnosing a mammal for the presence of a carcinoma or an increased likelihood of developing a carcinoma, the kit comprising a wild-type NES1 nucleic acid sequence.

78. The kit of claim 77, further comprising means for detecting a mismatch between said wild-type NES1 nucleic acid sequence and a nucleic acid sequence isolated from the mammal to be diagnosed.

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79. A kit for diagnosing a mammal for the presence of a carcinoma or an increased likelihood of developing a carcinoma, said kit comprising a substantially pure wild-type NES1 polypeptide.

80. The kit of claim 79, further comprising means for measuring protease activity, whereby the protease activity of said wild-type NES1 polypeptide may be compared to NES1 in a sample from the mammal to be diagnosed.

81. The kit of claim 80, wherein the NES1 polypeptide comprises an amino acid sequence substantially identical to the amino acid sequence represented by SEQ ID NO:1.--

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REMARKS

Claims 69-81 are pending in the present application, claims 1-68 having been cancelled and claims 69-81 having been added by the present amendment. New claims 69-81 are supported by the specification at, for example, page 3, line 1 through page 4, line 33; page 35, line 9 through page 37, line 27; and by original claims 25-41. No new matter has been added.

A marked-up version of the changes being made by the current amendment is not attached, because all of the claims are newly added (rather than amended).

Applicant asks that all claims be examined. No fees are believed due in connection with this amendment. However, if there are any fees, or any credits, please apply them to Deposit Account No. 06-1050.

Respectfully submitted,

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